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January 26, 2024

VIA ECF

Hon. Alvin K. Hellerstein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Avon shall refile this letter request with specific references to the portions, exhibits, or documents it wishes to be maintained under seal.

SO ORDERED.

Dated: 1/29/24
New York, New York

/s/ Alvin K. Hellerstein

Alvin K. Hellerstein
United States District Judge

Re: *The Avon Company f/k/a New Avon LLC et al. v. Fareva Morton Grove, Inc. et al.*, Case No. 22-cv-4724

Dear Judge Hellerstein:

We represent Plaintiffs The Avon Company f/k/a New Avon LLC and LG H&H Co., Ltd. f/k/a LG Household & Health Care, Ltd. (collectively, "Avon") in the above-referenced matter. We write to respectfully request that the Court enter an Order to maintain under seal the documents discussed below, copies of which are being contemporaneously filed under seal pursuant to the Court's standing order, 19-mc-00583, and this Court's Individual Rule 4(B)(ii). In support of this Letter Motion, Avon states as follows:

On October 7, 2022, the Court entered a Stipulated Confidentiality Agreement and Protective Order (the "Protective Order"). (ECF No. 65.) The Protective Order permits either party to designate Discovery Material as "Confidential" or "Attorney's Eyes Only," and provides that information so designated may not be disclosed except as expressly permitted under the Protective Order. (ECF No. 65 at ¶¶ 2, 12.)

On December 21, 2023, the Court issued an Order directing each party to "submit briefing on the issue of termination for cause versus for convenience[.]" (ECF No. 262.) Accordingly, on January 19, 2024, Fareva filed its Motion for Partial Summary Judgment on Avon's Early Termination Fee Claim (the "Motion"). (See ECF Nos. 277, 279, 289, 290.)

In opposition to Fareva's Motion, Avon intends to submit a Memorandum of Law (the "Memorandum") and a Response to Fareva's Local Civil Rule 56.1 Statement of Material Facts in Support of their Motion (the "Response").

Avon respectfully requests that the Court maintain under seal any portions of the Memorandum and the Response that reference or quote exhibits that were previously filed under seal based on

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Fareva's designation of those materials as Confidential and Attorney's Eyes Only. By making this sealing request, Avon is not contending that good cause exists to designate any of the foregoing materials as Confidential within the meaning of the Protective Order. Instead, Avon merely seeks to comply with its obligations under the Protective Order to file under seal documents that Fareva has designated as Confidential. With Fareva's permission, Avon is prepared to re-file the foregoing documents or portions thereof publicly.

Thank you in advance for your consideration of this request.

Respectfully submitted,

/s/ Robert I. Steiner
Robert I. Steiner

cc: All Counsel of Record (via ECF)